



CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on **December 03, 2005**, with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

GARY HOENIG
USPTO Reg. No. 46776

Name of Person Mailing Paper

Signature of Person Mailing Paper

Enclosed Herewith:

Docket: 11669
S/N: 10/628,527; Filed 07/27/2003
Applicant: Soberanis, David L.
Title: WINE POMACE EXTRACTION APPARATUS AND METHOD
GAU: 1746
Examiner: Chaudhry, Saeed T

- Transmittal Pages 1
- Correction to Response/Amendment Pages 5
- Certificate of Mailing (37 CFR 1.8)
- Copy of Notice of Non_Compliance Amendment Pages 1
- MPEP 503 Postcard

Mailed: 12/03/2005

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

DEC 08 2005
O I P E
PATENT & TRADEMARK OFFICE
U.S. PATENT AND TRADEMARK OFFICE

<div style="text-align: center;"> Application No. 10/622527 </div>	Applicant(s) <div style="text-align: center;">[Redacted]</div>	Examiner <div style="text-align: center;">[Redacted]</div>
		Art Unit <div style="text-align: center;">[Redacted]</div>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 10/622527 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opia/preonnotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Mark Mewance
Legal Instruments Examiner (LIE)

57122-1025
Telephone No.